

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK-----X
M.G. and V.M., et al.

Plaintiffs,

13 Civ. 4639 (SHS) (RWL)

ORDER

- against -

NEW YORK CITY DEPARTMENT OF
EDUCATION; NEW YORK CITY BOARD OF
EDUCATION; CARMEN FARIÑA, in her
official capacity as Chancellor of the New
York City School District; NEW YORK
STATE EDUCATION DEPARTMENT,
COMMISSIONER JOHN B. KING, in his
official capacity as Commissioner of the New
York State Education Department,

Defendants.

-----X

ROBERT W. LEHRBURGER, United States Magistrate Judge.

On April 23, 2020, the Court held a telephonic conference addressing the parties' joint letter (Dkt. 291) indicating that they were unable to come to agreement regarding the proposed Section 504 subclasses in Plaintiffs' proposed Fifth Amended Complaint. For the reasons discussed during the conference, it is ORDERED as follows:

1. Plaintiffs' request to include new allegations related to the proposed Section 504 subclasses is granted.
2. The Fifth Amended Complaint shall be filed by May 1, 2020 without prejudice to requesting an extension should that be necessary.
3. Defendants shall have 60 days from filing of the Fifth Amended Complaint to respond.

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| USDC SDNY |
| DOCUMENT |
| ELECTRONICALLY FILED |
| DOC #: _____ |
| DATE FILED: <u>4/23/2020</u> |

SO ORDERED.



ROBERT W. LEHRBURGER
UNITED STATES MAGISTRATE JUDGE

Dated: April 23, 2020
New York, New York